

CLASSIFICATION OFFICE DECISION

Title of publication: 6678376445a77380226341.jpg

Other known title(s): Not stated

OFLC ref: 1000016.000

Medium: Computer Image File

Publisher: Not stated

Country of origin: Not stated

Language: Not applicable

Applicant: The District Court at Blenheim

Classification:	Unrestricted.
------------------------	---------------

Descriptive note: None

Display conditions: None

Date of entry in Register: 05 February 2010

Date of direction to issue a label: No direction to issue a label has been issued

Summary of reasons for decision:

The computer image file consists of a photographic image of a young, partially nude woman, cropped to show only her torso and arms. Her breasts are partially visible through a gauzy fabric. The publication was submitted for classification because the informant in the related court proceedings was concerned that it promoted or supported the exploitation of children, or young persons, or both, for sexual purposes, or that it exploited the nudity of children, or young persons, or both, and should therefore be classified as objectionable. The age of the young woman depicted is difficult to ascertain; she could be anywhere from her mid-teens to her late teens or early twenties. As such, the publication cannot fairly be said to contain an image of a young person. Further, the partially nude image is not considered sufficiently sexual as to meet the criteria of dealing with "matters such as sex" under s3(1) of the FVPC Act.

As the publication raises no issues under s3(1), s3A or s3B of the Films, Videos, and Publications Classification Act 1993, it must, therefore, be classified as unrestricted. This classification is consistent with the right to freedom of expression as set out in s14 of the New Zealand Bill of Rights Act 1990.